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10/705,844	11/13/2003	Toshiyuki Mitsubori	011350-325	4885
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ALEXANDRIA, VA 22313-1404			ART UNIT	PAPER NUMBER
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# Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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		Application No		Applicant(s)			
Office Action Summary		10/705,844		MITSUBORI, TOSHIYUKI			
		Examiner		Art Unit			
		Lennin R. Rodrig	guez	2625			
	this communication app			orrespondence ad	dress		
Period for Reply							
A SHORTENED STATUTOR WHICHEVER IS LONGER, F - Extensions of time may be available ur after SIX (6) MONTHS from the mailtin - If NO period for reply is specified abov - Failure to reply within the set or extend Any reply received by the Office later the earned patent term adjustment. See 3	FROM THE MAILING DA nder the provisions of 37 CFR 1.13 g date of this communication. e, the maximum statutory period w led period for reply will, by statute, han three months after the mailing	ATE OF THIS CO 36(a). In no event, how will apply and will expire , cause the application	OMMUNICATION vever, may a reply be time SIX (6) MONTHS from to become ABANDONE!	N. nely filed the mailing date of this co D (35 U.S.C.§ 133).			
Status							
	2b)⊠ This s in condition for allowar	action is non-fin	rmal matters, pro		e merits is		
closed in accordance v	vith the practice under E	x parte Quayle,	1935 C.D. 11, 45	os O.G. 21s.			
Disposition of Claims							
<ul> <li>4) ☐ Claim(s) 1-17 is/are pending in the application.</li> <li>4a) Of the above claim(s) is/are withdrawn from consideration.</li> <li>5) ☐ Claim(s) is/are allowed.</li> <li>6) ☐ Claim(s) 1-17 is/are rejected.</li> <li>7) ☐ Claim(s) is/are objected to.</li> <li>8) ☐ Claim(s) are subject to restriction and/or election requirement.</li> </ul>							
Application Papers							
	13 November 2003 is/a st that any objection to the eet(s) including the correct	re: a)⊠ accept drawing(s) be held tion is required if th	d in abeyance. See he drawing(s) is obj	e 37 CFR 1.85(a). jected to. See 37 Cl	FR 1.121(d).		
Priority under 35 U.S.C. § 119							
<ul> <li>12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a)  All b)  Some * c) None of:</li> <li>1.  Certified copies of the priority documents have been received.</li> <li>2.  Certified copies of the priority documents have been received in Application No</li> <li>3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>							
Attachment(s)  1) Notice of References Cited (PTO-2) Notice of Draftsperson's Patent D  3) Information Disclosure Statement Paper No(s)/Mail Date 11/13/2003	rawing Review (PTO-948) (s) (PTO/SB/08)		Interview Summary Paper No(s)/Mail Da Notice of Informal P Other:	ate			

#### **DETAILED ACTION**

### Specification

- 1. The disclosure is objected to because of the following informalities:
- (1) page 2, line 9, **OEM** acronym should be show extended (e.g. PC Personal Computer) at least once;
  - (2) page 4, line 20, "andsaid" should be and said --;
  - (3) page 8, line 23, "RMA" should be RAM --.

Appropriate correction is required.

### Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

- 3. Claims 12-14 and 16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
  - (1) regarding claims 12-14:

A "printing program" is being recited; however a "printing program" as presented in the claims and discussed in the specifications is directed to a signal per se. This subject matter is not limited to that which falls within a statutory category of invention because it is limited to a process, machine, manufacture, or a composition of matter. A signal is a form of energy and a form of energy is non-statutory subject matter.

(2) regarding claim 16:

A "printing job transmission program" is being recited; however a "printing job transmission program" as presented in the claims and discussed in the specifications is directed to a signal per se. This subject matter is not limited to that which falls within a statutory category of invention because it is limited to a process, machine, manufacture, or a composition of matter. A signal is a form of energy and a form of energy is non-statutory subject matter.

## Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 5. Claim1-2, 4-6, 8-9, 11-13 and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Ota Yuichi (JP 06-247012, see machine translation for all the citations).
  - (1) regarding claims 1 and 8:

Yuichi '012 discloses a printing device comprising:

- a printing job receiving unit for receiving a printing job (paragraph [0006], line 2, interface data reception);
- a command analyzing unit for analyzing a command included in said printing job (paragraph [0006], lines 7-9);

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a default setup modifying unit for modifying a default setup based on a default setup modifying command when said command is said default setup modifying command (paragraph [0007], where the default setup is being setting up according to the command to change it); and

a printing unit for printing data to be printed included in said printing job (paragraph [0006], line 9, printing means).

### (2) regarding claims 4 and 11:

Yuichi '012 further discloses a printing job transmission device (paragraph [0002], lines 1-5, computer or workstation) comprising:

a default setup inputting unit for inputting a default setup for a printing device (paragraph [0013], where the data its being inputted from the external instrument which is a computer or workstation):

a printing job preparation unit for preparing a printing job including a default setup modifying command for modifying the default setup of said printing device to a default setup entered by said default setup input unit (paragraph [0012], where inside the external instrument is where the job preparation is performed); and

a printing job transmission unit for transmitting said printing job to said printing device (paragraph [0009], lines 1-4).

### (3) regarding claim 5:

Yuichi '012 further discloses a printing system comprising a printing device and a printing job transmission device, which are connected to be able to communicate with each other (paragraph [0002], lines 1-5);

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wherein, said printing job transmission device comprising:

a default setup inputting unit for inputting a default setup for said printing device (paragraph [0013], where the data its being inputted from the external instrument which is a computer or workstation);

a printing job preparation unit for preparing a printing job including a default setup modifying command for modifying the default setup of said printing device to a default setup entered by said default setup input unit (paragraph [0012], where inside the external instrument is where the job preparation is performed); and

a printing job transmission unit for transmitting said printing job to said printing device (paragraph [0009], lines 1-4); and

said printing device comprising:

a printing job receiving unit for receiving a printing job (paragraph [0006], line 2, interface data reception);

a command analyzing unit for analyzing a command included in said printing job (paragraph [0006], lines 7-9);

a default setup modifying unit for modifying a default setup based on a default setup modifying command when said command is said default setup modifying command (paragraph [0007], where the default setup is being setting up according to the command to change it); and

a printing unit for printing data to be printed included in said printing job (paragraph [0006], line 9, printing means).

(4) regarding claims 12 and 15:

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Yuichi '012 further discloses a printing program (paragraph [0022], "printing control program") for causing a printing device to execute:

a printing job receiving step of receiving a printing job (paragraph [0006], line 2, interface data reception);

a command analyzing step of analyzing a command included in said printing job (paragraph [0006], lines 7-9);

a default setup modifying step of modifying a default setup based on a default setup modifying command when said command is said default setup modifying command (paragraph [0007], where the default setup is being setting up according to the command to change it); and

a printing step of printing data to be printed included in said printing job (paragraph [0006], line 9, printing means).

Regarding claim 15: computer-readable medium (ROM, paragraph [0024, line1).

(5) regarding claims 16 and 17:

Yuichi '012 further discloses a printing job transmission program (paragraph [0022], "printing control program") for causing a printing job transmission device to execute:

a default setup inputting step of inputting a default setup for a printing device (paragraph [0013], where the data its being inputted from the external instrument which is a computer or workstation);

a printing job preparation step of preparing a printing job including a default setup modifying command for modifying the default setup of said printing device to a default

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setup entered by said default setup input step (paragraph [0012], where inside the external instrument is where the job preparation is performed); and

a printing job transmission step of transmitting said printing job to said printing device (paragraph [0009], lines 1-4).

Regarding claim 17: computer-readable medium (ROM, paragraph [0024, line1).

(6) regarding claims 2, 6, 9 and 13:

Yuichi '012 further discloses wherein said printing unit prints said data in accordance with the default setup modified by said default setup modifying unit (paragraph [0007], lines 5-7).

### Claim Rejections - 35 USC § 103

- 6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. Claims 3, 7, 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota Yuichi (JP 06-247012) in view of Iguchi (US Patent 6,963,414).

Yuichi '012 discloses all the subject matter as described above except wherein said printing unit prints the contents of the default setup modified by said default setup modifying unit.

However, Iguchi '414 teaches wherein said printing unit prints the contents of the default setup modified by said default setup modifying unit (column 1, lines 12-26, where the status print is printing a list of various settings).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that said printing unit prints the contents of the default setup modified by said default setup modifying unit as taught by Iguchi '414, in the system of Yuichi '012. This is used by a user, developer or person in charge of maintenance to check the set items of the printing apparatus and to perform test printing (column 1, lines 12-26).

#### Conclusion

- 8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ta et al. (US Patent 5,500,715) discloses a processor combines the first set of printing instructions, the second set of printing instructions and the default set of printing instructions so as to compile the final set of printing instructions for completing the print job (see abstract).
- 9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lennin R. Rodriguez whose telephone number is (571) 270-1678. The examiner can normally be reached on Monday Thursday 7:30am 6:00pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lennin Rodriguez 9/19/2007

KING Y. POON SUPERVISORY PATENT EXAMINER